

## REMARKS

Claims 26-50 are now pending in the application. Claims 1-25 stand rejected. Claim 2 was previously canceled, Claims 1 and 3-25 have been canceled herein, and Claims 26-50 are new. Support for the amendments and new claims can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments, new claims, and remarks contained herein.

## NEW CLAIMS

Applicant submits herewith new claims for consideration. Support for new Claims 26-50 can be found in the specification, drawings and claims as originally filed, and thus, do not constitute new matter. The new claims were added to clarify the subject of the present application, and Applicant respectfully submits that the new claims are patentable and in condition for allowance over the cited art. In this regard, the cited art does not teach, suggest or disclose at least **selecting a type of sensor**, determining **a center of the scene in the sensor image based on a coordinate system** associated with a reference image database and a digital elevation database, registering the sensor image of the scene with the synthetic perspective image to geocode the sensor image using a **mutual information model**, as claimed in Claim 26. The cited art also does not teach, suggest or disclose at least **selecting a type of sensor**, determining a center of the scene in the sensor image based on a coordinate system associated with a reference image database, accessing the reference image database to obtain a

geocoded reference image that includes a portion of a **right stereo image** and a portion of a **left stereo image**, which encompasses an area around the center of the scene in the sensor image, processing the **right and left stereo images to derive a geocoded reference digital elevation model** whose geographic extent encompasses an area around the center of the scene in the sensor image, or registering the sensor image of the scene with the synthetic perspective image to geocode the sensor image using a **mutual information model**, as claimed in Claim 40. As new Claims 27-39 and 41-50 depend from new independent Claim 26 or 40, these claims are also believed to be patentable and in condition for allowance. Accordingly, Applicant respectfully submits that new Claims 26-50 are patentable and in condition for allowance. Prompt and favorable consideration of these new claims is hereby respectfully requested.

#### **SPECIFICATION**

The specification stands objected to for certain informalities. Applicant has canceled Claims 1, 3-25, and thus, this objection has been rendered moot. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

#### **DRAWINGS**

The drawings stand objected to. Applicant has canceled Claims 1, 3-25, and thus, this objection has been rendered moot. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1, 3-12 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicant has canceled Claims 1, 3-12, and thus, this rejection has been rendered moot. Therefore, reconsideration and withdrawal of this rejection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 3-4, 8, 10-11, 13-15, 17-18, 22 and 24-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neff et al. (U.S. Pat. No. 5,809,171; hereinafter "Neff") in view of Hsu et al. (U.S. Pat. No. 6,587,601; hereinafter "Hsu"). Claims 5-7, 9, 16, 19-21 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neff in view of Hsu as applied to Claims 1 and 13 and further in view of Bell et al. (U.S. Pat. No. 5,550,937; hereinafter "Bell"). Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Neff in view of Hsu and Bell, and further in view of common knowledge in the art.

As discussed, Applicant has canceled Claims 1, 3-25, and thus, this rejection has been rendered moot. In addition, Applicant respectfully submits that new Claims 26-50 are patentable and in condition for allowance as the cited art does not teach each and every element of at least independent Claims 26 and 50, as discussed. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **DOUBLE PATENTING REJECTION**

Claims 8-25 stand provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1-20 of copending Application No. 11/382,523. Claims 8-25 stand provisionally rejected under 35 U.S.C. § 101 on the ground of nonstatutory double patenting over Claims 1-20 of copending Application No. 11/382,523.

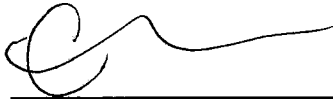
Applicant requests that these provisional rejections be held in abeyance until claims have been allowed in at least one of the present Application or U.S. Patent Application No. 11/382,523.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 6/9/08

By:   
Mark D. Elchuk, Reg.No. 33,686  
Erica K. Schaefer, Reg. No. 55,861

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MDE/EKS/chs